

**Notice of Allowability**

Application No.

09/914,198

Examiner

Callie E. Shosho

Applicant(s)

SANO ET AL.

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-- **Th MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12/16/04.
2. ☒ The allowed claim(s) is/are 1-3,5,7,8,10-17 and 19-25.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 2/6/03.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

**Statement of Reasons for Allowance**

1. The present claims are allowable over the “closest” prior art JP 10-315445 for the following reasons:

JP 10-315445 discloses ink set comprising light black ink comprising 2% pigment and dark black ink comprising 10% pigment wherein each ink comprises carbon black, dispersant, resin emulsion, surfactant, diethylaminoethanol, diethylene glycol monobutyl ether, and water.

However, there is no disclosure in JP 10-315445 that the difference between the ratio between the resin weight proportion  $B_2$  and pigment weight proportion  $P_2$  ( $B_2/P_2$ ) in the light ink and the ratio between the resin weight proportion  $B_1$  and pigment weight proportion  $P_1$  ( $B_1/P_1$ ) in the dark ink is from 0.01 to 0.5 as required in present claim 1. Rather, JP 10-315445 discloses that the difference between  $B_2/P_2$  and  $B_1/P_1$  is 0.89, which falls outside the scope of present claim 1 (see pages 12-13 of the amendment filed 12/16/04). Further, there is no disclosure in JP 10-315445 of ink set comprising dark ink that is a cyan ink and/or magenta ink and light ink that is a light cyan ink and/or light magenta ink as required in present claim 5. Additionally, there is also no disclosure in JP 10-315445 of an ink set comprising at least 6 different color inks, namely of black, cyan, magenta, yellow, light cyan, and light magenta as required in present claim 14. It is noted that there is also no disclosure of an emulsion having polymer particles wherein the polymer particles have a glass transition temperature of  $-15$  to  $10$  °C and the emulsion exhibits minimum film producing temperatures of  $25$  °C or lower as required in present claim 14. Further, there is no disclosure in JP 10-315445 that the fine polymer particle weight proportion  $E_1$  in the dark ink is less than the fine polymer particle weight proportion  $E_2$  in the light ink as required in present claim 7. Rather, JP 10-315445 discloses that the dark black ink

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comprises more polymer than the light black ink (see pages 12-13 of the amendment filed 12/16/04).

Thus, it is clear that JP 10-315445 does not disclose the present invention.

In light of the above, it is clear that the rejection of record is untenable and so, the present claims are passed to issue.

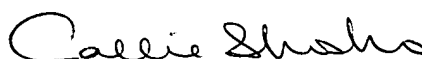
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Callie E. Shosho whose telephone number is 571-272-1123. The examiner can normally be reached on Monday-Friday (6:30-4:00) Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Callie E. Shosho  
Primary Examiner  
Art Unit 1714

CS  
1/6/05